

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/GB2004/001454

International filing date (day/month/year)
02.04.2004

Priority date (day/month/year)

International Patent Classification (IPC) or both national classification and IPC
H04N5/783

Applicant
NDS LIMITED

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2004/001454

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2004/001454

Box No. II Priority

1. ☒ The following document has not been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-29
Inventive step (IS)	Yes: Claims	
	No: Claims	1-29
Industrial applicability (IA)	Yes: Claims	1-29
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V.

- 1 The following documents are referred to in this communication:

D1 : WO 99/20045 A (KONINKL PHILIPS ELECTRONICS NV ; PHILIPS
SVENSKA AB (SE)) 22 April 1999 (1999-04-22)

D2 : VITEC MULTIMEDIA: "A Step by Step guide to your first DVD-Video"
[Online] November 1999 (1999-11), VITEC MULTIMEDIA , XP002288023
Retrieved from the Internet:
URL:www.vitecmn.com/doc/vitec_products/dvd tbMAN.pdf>; [retrieved on
2004-07-09]

2 INDEPENDENT CLAIM 1

- 2.1 The present application does not meet the criteria of Article 33(1) PCT, because
the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.
Document D1 discloses (the references in parenthesis applying to this document):

A method for embedding a message in compressed content comprising at least
one key frame and at least one non-key frame, the method comprising :
embedding a message in the at least one key frame (Claim 1, and figure 1).

- 2.2 D2 also describes an MPEG2 editor able to embed messages in key frames.

3 INDEPENDENT CLAIM 14

- 3.1 The present application does not meet the criteria of Article 33(1) PCT, because
the subject-matter of claim 14 is not new in the sense of Article 33(2) PCT.
Document D1 discloses (the references in parenthesis applying to this document):

A message delivery method comprising (Fig.5) : receiving, at consumer device,
compressed content, the compressed content comprising a plurality of video
frames, the video frames comprising a plurality of key frames and a plurality of non-
key frames (fig.1), at least some of the plurality of key frames comprising an
embedded message; selecting at least one of the plurality of key frames from the
compressed content, thereby producing at least one selected key frame, the
embedded message being compressed in the at least one selected key frame;

producing non-compressed content from the selected at least one of the plurality of key frames (64 and 66); and outputting the non-compressed content comprising the embedded message (68).

4 INDEPENDENT CLAIM 20

- 4.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 20 is not new in the sense of Article 33(2) PCT. Document D2 discloses (the references in parenthesis applying to this document):

A pre-recorded medium (14) comprising: digital compressed content, the content comprising a plurality of video frames, the video frames comprising at least one key frame and one non-key frame, the at least one key frame comprising an embedded message (pag.7, l.15-25).

5 DEPENDENT CLAIMS 2-13, 15-19, 21-25

Dependent claims 2-13, 15-19, 21-25 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT).

- 6 Since the subject-matter of each of independent claims 26-29 corresponds to the subject matter of at least one of claims 1, 14, 20, the same reasoning as given for claims 1, 14, 20 will apply mutatis mutandis.

Therefore claims 26-29 also do not meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT).